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Rao Bahadur P. C. Ethirajulu Nayudu :—"It is not a point of order, Sir. The dignity and the privilege of the House have been attacked in that article."

Rao Bahadur O. Tanikachala Chettiyar :—"I rise to support my hon. Friend, Mr. Ethirajulu Nayudu. Sir, the practice and procedure of the House of Commons, in cases where the privileges of the Houses are attacked or where the impartiality of the Chair is questioned, is to take action against the offending person. So, I beg to support his application for action being taken against the *Swarajya.*"

The hon. Mr. C. P. Ramaswami Ayyar :—"It is undoubtedly true that under the procedure of the House of Commons, if the privileges of the House are attacked, or the impartiality of the Chair is questioned, the procedure obtaining is the summoning of the offending person before the House by the Sergeant-at-Arms who is specially appointed for such purposes. But quite apart from the circumstance that there is no such functionary like the Sergeant-at-Arms here, it appears to me that it is the inherent jurisdiction of this House that it should take notice—and severe notice—of any comments in the public press reflecting on the impartiality of one who stands and ought to stand above parties and commands the confidence of every section of the House and who is entitled to demand and receive the respect of the public. There is nothing more mischievous than an attack upon the President. This is again in the nature of an attack upon the impartiality of a Judge as to which a similar procedure obtains. Even if the Standing Orders do not allow it, I think this is an exceptional circumstance in which a convention should be established and it would be a wholesome thing if a convention was established of expressing our disapproval."

The hon. the President :—"Quite apart from other considerations, I would suggest to the hon. Member from Guntur to write to the Secretary and the matter will then be dealt with as upon an ordinary notice."

III.—ALLOTMENT OF DAYS FOR NON-OFFICIAL BUSINESS—*cont.*

Diwan Bahadur M. Krishnan Nayar :—"The point that I wish to raise is this: it is stated that six days which were allotted by His Excellency the Governor for the transaction of non-official business have already been exhausted. It appears to me that it is not so. His Excellency at the commencement of the session allotted six days for non-official business. It will be remembered that no particular day was earmarked for the transaction of non-official business, as is the practice in other Provincial Legislative Councils and the Delhi Legislative Assembly. In other Councils certain days are earmarked for Government business and certain others for non-official business. On days on which Government business is to take place, Government business of course has priority, and when that is transacted, and if there is time left, non-official business can be proceeded with. So also, on days which are earmarked for non-official business, if there is any time left, Government business also can be transacted. It will be remembered by you, Sir, that no particular day was earmarked for the transaction of non-official business in this session. Because at the commencement of the session no Government business was ready, non-official business was proceeded with,

12 noon.

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"Also, I refer to section 6 of the Legislative Council Rules on page 161 of the first volume of the Legislative Council Manual which says :

'The Governor, after considering the state of business of the Council, shall, at the commencement of each session, allot as many days as are in his opinion compatible with the public interests for the business of non-official Members in the Council, and may from time to time during the session alter such allotment, and *on these days* such business shall have precedence. At all other times Government business shall have precedence.'

"The use of the words '*these days*' shows, I submit, that certain specific days should be allotted for the transaction of non-official business. Otherwise '*these days*' have no meaning.

"Important non-official bills and resolutions have been pending for a considerable time. So far as I am concerned, there is the Malabar Tenancy Bill, which has been hanging fire for the past one and a half years. If no more day for the transaction of non-official business is allotted, it is not likely that my Bill and many important resolutions will be reached till August, nearly six months from now. This point, Sir, is of considerable importance. I am not particular that you should give an immediate,ruling on the matter. I will be content if you can give it at any time convenient to you. I am only submitting that this is an important matter and we want more time for non-official business, as in the month of March we shall be engaged with the budget and non-official business cannot be transacted then."

The hon. the PRESIDENT :—"The hon. Member wishes in the first place to ask for more days for the transaction of non-official business than have already been allotted by His Excellency the Governor. Secondly, he also wishes that the days should be fixed not merely as so many for the whole session, which has already been done, but that such and such days should be appointed for the transaction of non-official business. I may tell hon. Members of this House that, during the time of my predecessor, it was arranged that six days should be allotted for non-official business, and that circumstances rendered it advisable that the sittings in November and December should most of them be devoted to non-official business. Now those six days are exhausted. I shall however bring to the notice of His Excellency the Governor at an early date the desire of hon. Members that more days should be allotted and that the days so allotted should be specified."

Mr. C. RAMALINGA REDDI :—"Mr. President, Sir, I have a request to make. As matters stand at present, important non-official Bills such as the Tenancy Bill and the Mappilla Prisoners' Clemency Bill in which a large number of Members are interested have no chance of being taken up at all till August. One of the committees appointed by your distinguished predecessor made a recommendation to the effect that if we could not get through enough business during the five days that we normally sat, the sitting might be extended by a couple of days and time thus found for the transaction of more business. We are now asked to meet for three days or according to the convenience of Government for four days. It seems to me that we are here to transact non-official business as well as Government business. I wish to move the authorities to extend the present sitting, so that some urgent and important resolutions in which a large number of non-official Members are interested might be taken up for discussion."

The hon. the PRESIDENT :—"I will also bear in mind the request of the hon. Member to extend the present meeting so as to allow of non-official

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business being transacted. As many days of this meeting as are necessary will be reserved for the official business of which notice has been given. As regards more days, I shall consider the matter very carefully in consultation with the hon. the Leader of the House."

IX

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

The hon. the PRESIDENT then conveyed to the Council the following Message from His Excellency the Governor regarding the manner in which certain communications are made by him to the Council :—

Message.

'With reference to Standing Order 69 of the Standing Orders of the Madras Legislative Council which recites two ways in which communications are made by the Governor to the Council, I desire it to be understood that the two ways mentioned in the rule are not exhaustive, and that I propose to continue the practice followed during the past three years in this Council, and which is common to similar Assemblies in other parts of the Empire, under which a less formal means of communication is adopted when the occasion is suitable. In particular, I propose to pursue the practice hitherto adopted under which my recommendation in relation to a proposal for the appropriation of provincial revenues is communicated through a Member of my Government.

28th January 1924. WILLINGDON.'

X

ELECTION OF TWELVE MEMBERS TO THE SENATE.

The hon. the PRESIDENT then announced the names of the twelve Members elected as Members of the Senate from the non-official Members of the Council :—

1. Rao Bahadur O. Tanikachala Chettiyar.
2. Mr. C. Ramalinga Reddi.
3. ,, A. Ramaswami Mudaliyar.
4. Dr. P. Subbarayan.
5. Rao Sahib U. Rama Rao.
6. Mr. S. Arpudaswami Udayar.
7. Mr. B. Muniswami Nayudu.
8. Rao Bahadur C. Natesa Mudaliyar.
9. Mr. A. Ranganatha Mudaliyar.
10. ,, P. T. Rajan.
11. ,, C. Gopala Menon.
12. Khan Bahadur Haji Abdulla Haji Qasim Sahib Bahadur.

XI

COMMUNICATIONS TO THE COUNCIL.

(1)

The SECRETARY laid on the table * copies of—

(i) the order of His Excellency the Governor, published in the *Fort St. George Gazette* as notification No. 108, dated 18th December 1923, appointing M.R.Ry. Diwan Bahadur Lewis Dominic Swamikannu Pillai Avargal, C.I.E., I.S.O., as President of the Legislative Council;

(ii) the order of His Excellency the Governor, published in the *Fort St. George Gazette* as notification No. 109, dated 18th December 1923, appointing M.R.Ry. Rasipur Varatha Krishna Ayyar Avargal, B.A., M.L., as Secretary to the Legislative Council;

(iii) the order of His Excellency the Governor, published in the *Fort St. George Gazette* as notification No. 4, dated 17th January 1924, appointing M.R.Ry. Colattur Satagopa Achariyar Avargal, B.A., as Assistant Secretary to the Legislative Council.

* Printed as Appendix III on pages 119–120 infra.